

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	4:08CR3082
)	
v.)	
)	
JODENE BURKHART and)	ORDER
KELLI LARSON,)	
)	
Defendants.)	
)	

At the defendants' initial appearance on July 14, 2008 counsel for the government informed the court on the complexity of this case, reporting that the trial will involve a substantial number of witnesses from distant locations who must testify about the patents involved in the products alleged to have been counterfeited. In addition, the case presents novel issues of first impression in this district. Defendants' counsel agreed that because of the complexity of the matter, the normal time limits should not apply in this case. Although I did not make a specific finding during the hearing, I did extend the deadlines applicable in the case beyond those which would customarily be established to comply with the Speedy Trial Act, 18 [U.S.C. 3161](#), et seq. I now make that finding explicit.

IT THEREFORE HEREBY IS ORDERED:

1. Based on the representations of counsel, the court finds this case to be "unusual" and "complex" so that it is unreasonable to expect counsel and the defendants to be adequately prepared for any pretrial motions or other proceedings, or for trial, within the time limits set forth in the Speedy Trial Act. In these circumstances the ends of justice require additional time for all parties to adequately prepare the case for presentation to a jury, and the defendants' rights to adequate representation and preparation far outweigh their

interests and the public's interest in a speedy trial. 18 U.S.C. 3161(h)(8)(A) and (B)(ii).

2. This case is exempted from the time restraints of the Speedy Trial Act, 18 U.S.C. 3161 et seq. The court will monitor the parties' preparations for trial in order to ensure both a reasonable time for adequate preparation and a reasonably prompt trial setting to protect the defendants' rights to speedy trial.

DATED this 16th day of July, 2008.

BY THE COURT:

s/ *David L. Piester*

David L. Piester
United States Magistrate Judge